

FILED

JUN 29 2006

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT

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UNITED STATES MAGISTRATE COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHRISTINE CARPENTER,

Defendant.

No. 3 05 70544

~~PROPOSED~~ ORDER AND
STIPULATION FOR CONTINUANCE
FROM JUNE 29, 2006 TO JULY 27, 2006
AND EXCLUDING TIME FROM THE
SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(8)(A)) AND
WAIVING TIME LIMITS UNDER RULE
5.1

With the agreement of the parties, and with the consent of the defendant, the Court enters this order scheduling an arraignment or preliminary hearing date of July 27, 2006 at 9:30A.M. before the duty magistrate judge, and documenting the defendant's waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), from June 29, 2006 to July 27, 2006. The parties agree, and the Court finds and holds, as follows:

1. The defendant has been released on her own recognizance.
2. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv) to provide continuity of counsel and reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

1 3. The defendant waives the time limits of Federal Rule of Criminal Procedure 5.1 for
2 preliminary hearing.


3 4. Counsel for the defense believes that postponing the preliminary hearing is in his
4 client's best interest, and that it is not in his client's interest for the United States to indict the
5 case during the normal 20-day timeline established in Rule 5.1.

6 5. The Court finds that, taking into the account the public interest in the prompt
7 disposition of criminal cases, these grounds are good cause for extending the time limits for a
8 preliminary hearing under Federal Rule of Criminal Procedure 5.1. Given these circumstances,
9 the Court finds that the ends of justice served by excluding the period from June 29, 2006 to July
10 27, 2006 outweigh the best interest of the public and the defendant in a speedy trial. §
11 3161(h)(8)(A).

12 6. Accordingly, and with the consent of the defendant, the Court (1) sets a preliminary
13 hearing date before the duty magistrate judge on July 27, 2006 at 9:30A.M., and (2) orders that
14 the period from June 29, 2006 to July 27, 2006 be excluded from the time period for preliminary
15 hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations
16 under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

17
18 IT IS SO STIPULATED:

19
20 DATED: June 28, 2006



RON TYLER
Attorney for Defendant

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22
23 DATED: June 28, 2006



ROBERT DAVID REES
Assistant United States Attorney

24
25
26 IT IS SO ORDERED.

27
28 DATED: 6/29/06



HON. NANDOR J. VADAS
United States Magistrate Judge